



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 27, 1994

Ms. Barbara M. Elliott
Assistant City Attorney
City of Galveston
Legal Department
P.O. Box 779
Galveston, Texas 77553-0779

OR94-593

Dear Ms. Elliott:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 26894.

The City of Galveston has received an open records request for "a list by Department [of] the names, addresses, phone numbers, job titles and rates of pay of all city employees; along with the names of any Labor Union/Organization that already has a dues check off agreement with the City excluding the City Manager, Department Heads, Fire and Police Departments."

You state your understanding that you need not provide the information in the form in which it was requested, that is, "by Department." It is well established that the Open Records Act does not require governmental bodies to prepare information in the form requested by a member of the public. Open Records Decision No. 467 (1987).

You also state your understanding that home addresses and telephone numbers are not subject to disclosure for those employees who have requested that the information be kept confidential. It is unclear from the request whether the addresses and phone numbers sought are home or business addresses and phone numbers. Of course, if the request is for employees' work addresses and phone numbers, that information is public, as are employees' names, job titles, and rates of pay. Open Records Decision No. 14 (1974).

If you have determined that the request is for the employees' home addresses and phone numbers, section 552.117 of the Government Code requires you to withhold the home addresses and telephone numbers of all current or former officials or employees who requested that this information be kept confidential under section 552.024. You may not, however, withhold the home address or telephone number of an official or employee who made the request for confidentiality under section 552.024 after this request for documents was made. Whether a particular piece of information is public must be determined at the time the request for it is made. Open Records Decision No. 530 (1989) at 5.

You do not address the issue of the requested list of labor unions or organizations, nor do you claim that it is excepted from public disclosure. "The Open Records Act makes governmental records open unless they fall within one of the particular exceptions applicable." Open Records Decision No. 363 (1983). We assume that you have already made this information available to the requestor or will do so upon receiving this letter.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,



Margaret A. Roll
Assistant Attorney General
Open Government Section

MAR/PIR/rho

Ref.: ID# 26894

cc: Mr. W.E. Sanders
Secretary/Treasurer
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